

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DDG DEVELOPMENT LLC, DDG PARTNERS	:	
LLC, and 180 EAST STREET REALTY LLC	:	
	:	
Plaintiffs,	:	
-against-	:	23-CV-5034 (VEC)
	:	
	:	<u>ORDER</u>
STATE FARM FIRE AND CASUALTY	:	
COMPANY,	:	
	:	
Defendant.	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS on June 21, 2023, DDG Development LLC (“DDG Development”), DDG Partners LLC (“DDG Partners”), and 180 East Street Realty LLC (“180 East Street Realty”) (together, “Plaintiffs”), filed a Complaint against State Farm Fire and Casualty Company (“Defendant”); Compl., Dkt. 3;

WHEREAS Plaintiffs allege that the Court’s subject-matter jurisdiction in this matter is premised on diversity, *id.* ¶ 5;

WHEREAS the citizenship of a corporation for diversity purposes is determined by the corporation’s place of incorporation and principal place of business, *see In re Balfour MacLaine Int’l Ltd.*, 85 F.3d 68, 76 (2d Cir. 1996);

WHEREAS a limited liability company has the citizenship of its members, *see Jean-Louis v. Carrington Mortg. Servs., LLC*, 849 F. App’x 296, 298 (2d Cir. 2021);

WHEREAS a complaint premised upon diversity of citizenship must allege the citizenship of natural persons who are members of an LLC and the place of incorporation and principal place of business of any corporate entities that are members of the LLC (including the

citizenship of any members of the LLC that are themselves LLCs), *see Handelsman v. Bedford Vill. Assocs. L.P.*, 213 F.3d 48, 51–52 (2d Cir. 2000); *see also, e.g., In re Bank of Am. Corp. Sec., Derivatives, and ERISA Litig.*, 757 F. Supp. 2d 260, 334 n.17 (S.D.N.Y. 2010);

WHEREAS the Complaint alleges that DDG Development is a limited liability company organized under New York law and authorized to do business in New York, but does not allege DDG Development’s principal place of business or the citizenships of its members, *see* Compl. ¶ 1;

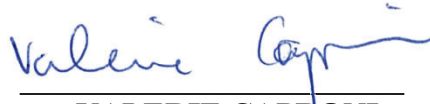
WHEREAS the Complaint alleges that DDG Partners is a limited liability company organized under Delaware law and authorized to do business in New York, but does not allege DDG Partners’s principal place of business or the citizenships of its members, *see id.* ¶ 2; and

WHEREAS the Complaint alleges that 180 East 88th Street Realty is a limited liability company organized under Delaware law and authorized to do business in New York, but does not allege 180 East 88th Street Realty’s principal place of business or the citizenships of its members, *see id.* ¶ 3;

IT IS HEREBY ORDERED that by no later than **Friday, June 30, 2023**, Plaintiffs must file an amended complaint that cures the deficiencies described herein or the Complaint will be dismissed without prejudice for lack of subject matter jurisdiction.

SO ORDERED.

Date: June 23, 2023
New York, New York



VALERIE CAPRONI
United States District Judge